

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COMMISSIONER OF MOTOR VEHICLES,

Plaintiff,

-against-

SAVERIO AMELIO and PPA CARMINE
AMELIO,

Defendants.

24-CV-3543 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

On May 7, 2024, this action was removed from the Superior Court in the Judicial District of Litchfield, Connecticut. *See* Dkt. 1. Defendants assert that jurisdiction in this Court is proper by reason of diversity of citizenship, pursuant to 28 U.S.C. § 1332.

Under 28 U.S.C. § 1446(a), “defendants desiring to remove any civil action from a State court shall” make the required filings “in the district court of the United States for the district and division within which such action is pending.” *See also Phillips v. Reed Grp., Ltd.*, 955 F. Supp. 2d 201, 228 (S.D.N.Y. 2013) (“For cases removed from state court, venue is proper in the federal district which embraces the state court from which the action was removed.”). The District of Connecticut is the federal district that embraces all state courts in Connecticut. 28 U.S.C. § 86. Removal to this Court was therefore improper.

Under 28 U.S.C. § 1447(d), the Court may *sua sponte* remand a case for a procedural defect within 30 days of the filing of the notice of removal. *Mitskovski v. Buffalo & Fort Erie Pub. Bridge Auth.*, 435 F.3d 127, 131 (2d Cir. 2006). Accordingly, this case is remanded to state court.

The Clerk of Court is directed to: (1) mail a certified copy of this Order to the Clerk of the Court of the Superior Court in the District of Litchfield, Connecticut, pursuant to 42 U.S.C. § 1447(c); and (2) close this case.

SO ORDERED.

Dated: May 10, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge